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10/735,619	12/16/2003	Kanako Matsunami	031328	2632
23850	7590	10/15/2008		
KRATZ, QUINTOS & HANSON, LLP			EXAMINER	
1420 K Street, N.W.			CHIO, TAT CHI	
Suite 400				
WASHINGTON, DC 20005			ART UNIT	PAPER NUMBER
			2621	
			MAIL DATE	DELIVERY MODE
			10/15/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 9/12/2008 have been fully considered but they are not persuasive.

Applicant argues that the combination of Lee et al., Bases et al., and Nono does not teach the limitations "a receiving state detector for detecting receiving state of the wave of television broadcast before recording", "a judger for judging whether the recording is permitted based on a detected result of the receiving state detector", and "the receiving state of the wave is the reception level of the television broadcast wave."

In response, the examiner respectfully disagrees. Lee teaches that the demodulator, which is equivalent to the receiving state detector, detects the state of the signal in column 5 and lines 41-44. Lee also teaches that the conditional access circuit that is equivalent to the judger judges whether the recording is permitted in column 5 and lines 44-47. Nono teaches that a probability of precipitation is extracted from the relevant weather forecast information. If the probability during the relevant time period is higher than a predetermined reference value, the weather is determined as bad, and if lower than the reference value, the weather is determined as not bad. The reference value is chosen such that if the probability is higher than the value, the receive state becomes bad due to bad weather with deterioration in image quality or sound quality of the program, and thus recording or viewing of the program is regarded as practically impossible. Therefore, the probability of the precipitation indicates the actual reception

level of the television broadcast wave. Applicant is suggested to further amend the claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAT CHI CHIO whose telephone number is (571)272-9563. The examiner can normally be reached on Monday - Thursday 9:00 AM-5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. C. C./  
Examiner, Art Unit 2621

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/Thai Tran/  
Supervisory Patent Examiner, Art Unit 2621